

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled BONE GRAFT SUBSTITUTE COMPOSITION, the specification of which:

☐ is attached hereto.

☒ was filed on July 26, 2001 as Application Serial No. 09/915,997 and was amended on \_\_\_\_\_.

☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
09/327,761	06/07/1999	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John M. Skenyon, Reg. No. 27,468  
Tu N. Nguyen, Reg. No. 42,934  
John J. Gagel, Reg. No. 33,499

Robert C. Nabinger, Reg. No. 33,431  
Sean P. Daley, Reg. No. 40,978  
Timothy A. French, Reg. No. 30,175

Address all telephone calls to TU N. NGUYEN at telephone number (617) 542-5070.

Address all correspondence to ROBERT C. NABINGER at:

FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

06317-038002

Combined Declaration and Power of Attorney  
Page 2 of 2 Pages

Full Name of Inventor: DONALD W. PETERSEN

Inventor's Signature: Donald W. Petersen

Date: 10/17/01

Residence Address: 4085 Lakewood Drive  
Bessemer, AL 35020

Citizenship: United States

Post Office Address: 4085 Lakewood Drive  
Bessemer, AL 35020

Full Name of Inventor: KELLY COUPE RICHELSON

Inventor's Signature: Kelly C. Richelson

Date: 10-11-01

Residence Address: 9394 Alex Dickson Cove  
Memphis, TN

Citizenship: United States

Post Office Address: 9394 Alex Dickson Cove  
Memphis, TN 38133

Full Name of Inventor: WARREN OLIVER HAGGARD

Inventor's Signature: Warren Oliver Haggard

Date: 10-11-01

Residence Address: 6600 Stephan Ridge Drive  
Bartlett, TN

Citizenship: United States

Post Office Address: 6600 Stephan Ridge Drive  
Bartlett, TN 38135

Full Name of Inventor: CARY P. HAGAN

Inventor's Signature: Cary P. Hagan

Date: 10/11/01

Residence Address: 8517 Farmington Cove  
Germantown, TN

Citizenship: United States

Post Office Address: 8517 Farmington Cove  
Germantown, TN 38139

Full Name of Inventor: DONALD A. RANDOLPH

Inventor's Signature: Donald A. Randolph

Date: 11/15/01

Residence Address: 1605 South Prospect Street  
Wheaton, IL

Citizenship: United States

Post Office Address: 1605 South Prospect Street  
Wheaton, IL 60187

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## RECORDATION FORM COVER SHEET PATENTS ONLY

Commissioner for Patents: Please record the attached original document(s) or copy(ies).

1. Name of conveying party(ies):

Donald W. Petersen, Kelly Coupe Richelsoph,  
Warren Oliver Haggard, Cary P. Hagan and  
Donald A. Randolph

Additional name(s) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Wright Medical Technology, Inc.  
P.O. Box 100  
5677 Airline Road  
Arlington, TN 38002

Additional names/addresses attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other:

Execution Date: October 24, 2001; October 11,  
2001; October 11, 2001; October 11, 2001;  
November 15, 2001

4. Application number(s) or patent number(s):

If this document is being filed with a new application, the execution date of the application is:

A. Patent Application No(s):

09/915,997

B: Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name/address of party to whom correspondence concerning document should be mailed:

TU N. NGUYEN  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804

6. Total number of applications/patents involved: 1

7. Total fee (37 CFR §3.41): \$40

- ☒ Enclosed  
☐ Authorized to charge Deposit Account.

8. Deposit Account No.: 06-1050

Please apply any additional charges, or any credits, to our  
Deposit Account No. 06-1050.

DO NOT USE THIS SPACE

9. Statement and Signature: *To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Tu N. Nguyen  
Reg. No. 42,934  
Name of Person Signing

Signature

December 4, 2001  
Date

Total number of pages including coversheet, attachments and document: 5

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### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, Washington, D.C. 20231.

December 4, 2001  
Date of Deposit

Signature

Sherry L. Hunt  
Typed Name of Person Signing Certificate

## ASSIGNMENT

For valuable consideration, we, DONALD W. PETERSEN of 4085 Lakewood Drive, Bessemer, AL 35020, KELLY COUPE RICHELSON of 9394 Alex Dickson Cove, Memphis, TN 38133, WARREN OLIVER HAGGARD of 6600 Stephan Ridge Drive, Bartlett, TN 38135, CARY P. HAGAN of 8517 Farmington Cove, Germantown, TN 38139, DONALD A. RANDOLPH of 1605 South Prospect Street, Wheaton, IL 60187, hereby assign to: Wright Medical Technology, Inc., a Delaware corporation having a place of business at: P.O. Box 100, 5677 Airline Road, Arlington, TN 38002; and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us, entitled BONE GRAFT SUBSTITUTE COMPOSITION, filed July 26, 2001, and assigned U.S. Serial Number 09/915,997, and we authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Birmingham AL,  
this 24<sup>th</sup> day of October, 20 01

Donald W. Petersen L.S.  
DONALD W. PETERSEN

State of Alabama :

: SS.

County of Jefferson :

Before me this 24<sup>th</sup> day of October, 20 01, personally  
appeared DONALD W. PETERSEN known to me to be the person whose name is subscribed to  
the foregoing Assignment and acknowledged that he executed the same as his free act and deed  
for the purposes therein contained.

[Signature]  
Notary Public

My Commission Expires:

MY COMMISSION EXPIRES  
DECEMBER 11, 2002.

[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Arlingda TN,  
this 11<sup>th</sup> day of October, 20 01

Kelly Coupe Richelsoph L.S.  
KELLY COUPE RICHEL SOPH

State of Tennessee :

: SS.

County of Shelby :

Before me this 11<sup>th</sup> day of October, 20 01, personally  
appeared KELLY COUPE RICHEL SOPH known to me to be the person whose name is  
subscribed to the foregoing Assignment and acknowledged that he executed the same as his free  
act and deed for the purposes therein contained.

[Signature]  
Notary Public

My Commission Expires: 06/13/04

[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Arlington TN,  
this 11th day of October, 2001  
Warren Oliver Haggard L.S.  
WARREN OLIVER HAGGARD

State of Tennessee :  
: ss.

County of Shelby :

Before me this 11th day of October, 2001, personally  
appeared WARREN OLIVER HAGGARD known to me to be the person whose name is  
subscribed to the foregoing Assignment and acknowledged that he executed the same as his free  
act and deed for the purposes therein contained.

Don Powell  
Notary Public

My Commission Expires: 06/12/04

[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Arlington TN,  
this 11th day of October, 2001  
Cary P. Hagan L.S.  
CARY P. HAGAN

State of Tennessee :  
: ss.

County of Shelby :

Before me this 11th day of October, 2001, personally  
appeared CARY P. HAGAN known to me to be the person whose name is subscribed to the  
foregoing Assignment and acknowledged that he executed the same as his free act and deed for  
the purposes therein contained.

Don Powell  
Notary Public

My Commission Expires: 06/12/04

[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Wheaton, IL,  
this 15<sup>th</sup> day of November, 20 01

*Donald A. Randolph* L.S.  
DONALD A. RANDOLPH

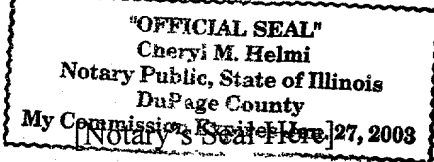
State of Illinois :  
: SS.

County of DuPage :

Before me this 15<sup>th</sup> day of November, 20 01, personally  
appeared DONALD A. RANDOLPH known to me to be the person whose name is subscribed  
to the foregoing Assignment and acknowledged that he executed the same as his free act and  
deed for the purposes therein contained.

*Cheryl M. Helmi*  
Notary Public

My Commission Expires: 1/27/2003



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